

given the court a way to correct an obvious injustice. "Neither the state nor justice is well served by the incarceration of the innocent," Rep. Danburg said. She said the bill would not have challenged the Governor's ability to grant executive clemency.

Amendments to political-fund reports
(HB 1389 by Wolens)

DIGEST: HB 1389 would have allowed candidates, officeholders, and campaign treasurers to make certain changes in sworn statements of political contributions and expenditures after the filing deadline without incurring penalties. The current penalties for a late filing include possible prosecution for a class C misdemeanor (maximum fine of \$200), civil liability to opposing candidates for double the amount of the unreported contribution or expenditure, civil liability to the state for three times the amount of the unreported contribution or expenditure, and civil liability to the state for \$100 for a late report. The bill would have waived those penalties for amendments to timely filed statements if the purpose of the amendment was to add an inadvertent omission or correct an inadvertent mistake, if the Secretary of State determined the mistake was not a significant failure to comply with the law, and if the amendment was filed within 30 days of any notice of noncompliance by the Secretary of State.

GOVERNOR'S
REASONS
FOR VETO:

The Governor said Texas should maintain the tough standards, firm timetables, and strong penalties that have made its campaign finance and reporting laws some of the strongest in the nation. Under the changes proposed in HB 1389, he said, anyone who did not accurately report a contribution until after the election could claim inadvertence and thus deprive the people of their right to know, prior to the election, the source and amount of funds obtained by candidates.

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VIEW:

Rep. Wolens said that the bill was only meant to provide an incentive to correct inconsequential errors made through inadvertence. Since current law requires strict liability for all mistakes, no matter how small, there is a disincentive to make minor corrections, he said. Contrary to the Governor's interpretation, he argued that changes of any significance would not have

been excused by the bill. Rep. Wolens said he had no idea that the veto was coming and was not extended the courtesy of engaging in a dialogue concerning the purpose of the bill before the "legislative guillotine" fell.

Student assignments and transfers
(HB 1543 by Messer)

DIGEST: HB 1543 would have required school districts to attempt to assign all students who attend one elementary school to the same junior high school and all students who attend one junior high to the same high school. If less than 30 percent of an elementary school class were assigned to any one junior high, a student could have transferred to the junior high to which the largest proportion of his or her class had been assigned. Students advancing from junior high to high school would have had similar transfer rights. Also, if less than 100 percent of the students of a junior high who attended the same elementary school were assigned to a single high school, students could have transferred to the high school to which the largest proportion of their elementary school class was assigned. A transfer could have been denied if a court found that it violated federal desegregation requirements or if it displaced a student requesting a transfer under a voluntary desegregation program.

GOVERNOR'S
REASONS
FOR VETO:

The Governor said the bill would have imposed arbitrary percentage requirements and cumbersome administrative burdens on school districts. He thought the majority of local school trustees and administrators supported the neighborhood-school concept and said they should retain local control and administrative flexibility in the area of student assignment.

SPONSOR'S
VIEW:

Rep. Messer was unavailable for comment.

NOTES:

The House Study Group analysis of HB 1543 appeared in the April 15 Daily Floor Report. An analysis of senate amendments to HB 1543 appeared in the May 26 Daily Floor Report.